

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:
Ronald Minnich
Carrie A. Minnich

Debtors

Ronda J. Winnecour, Chapter 13 Trustee

Movant

vs.

Bank of America, N.A.

Respondent

NO. 17-22432 CMB

CHAPTER 13

Related to Document No. 70 & 73

STIPULATION AND ORDER AS TO TRUSTEE'S MOTION TO COMPEL AND
FOR SANCTIONS

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Bank of America, N.A., filed a Notice of Post-Petition Mortgage Fees, Expenses, and Charges on December 26, 2017 listing fees and expenses totaling \$1,150.00; and

WHEREAS, the Chapter 13 Trustee filed a Motion to Preclude Postpetition Mortgage Fees, Expenses, and Charges on December 21, 2018; and

WHEREAS, the court entered an order on February 1, 2019 disallowing Respondent's fees and charges and requiring Respondent to provide proof of the removal of the disallowed charges from Debtors' account; and

WHEREAS, the Chapter 13 Trustee has filed a motion to compel and for sanctions to enforce the court's order of February 1, 2019; and

WHEREAS, Respondent has provided to the Chapter 13 Trustee and on May 23, 2019 filed proof of the removal of the disallowed fees and charges from Debtors' account, consisting of a notarized affidavit, a loan history, and a payoff statement (Doc. 72);

It is therefore Stipulated and agreed as follows:

1. Carrington Mortgage Services LLC, as the current servicer of the loan and as Bank of America, N.A.'s, sub-servicer, shall pay to the Chapter 13 Trustee counsel fees in the amount of \$250.00 which fees shall be payable within thirty (30) days from the entry of the order approving this Stipulation.
2. Respondent shall not add any fees or other charges to the debtors' account in connection with any response to the Trustee's motion, for attending any hearing in this matter, or for otherwise complying with this Stipulation and Order.
3. Based upon the Respondent's representations and stipulations, the Chapter 13 Trustee hereby withdraws the motion to compel and for sanctions.
4. The hearing in this matter scheduled for July 2, 2019 at 11:00 a.m. is cancelled, and no further responsive pleadings in this matter shall be required.

Consented to by:

/s/ Ronda J. Winnecour

Ronda J. Winnecour, Esquire

Chapter 13 Trustee

US Steel Tower-Suite 3250

Pittsburgh, PA 15219

rwinneccour@chapter13trusteewdpa.com

/s/ James C. Warmbrodt, Esquire

James C. Warmbrodt, Esquire

Attorney for Respondent

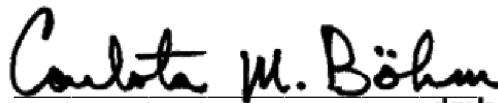
KML Law Group, P.C.

701 Market Street, Suite 5000

Philadelphia, PA 19106

jwarmbrodt@kmlawgroup.com

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.



Carlota M. Böhm

dmk

Chief United States Bankruptcy Court Judge

FILED

6/18/19 1:24 pm

CLERK

U.S. BANKRUPTCY

COURT - WDPA

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Ronald Minnich
Carrie A. Minnich
Debtors

Case No. 17-22432-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dsaw
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jun 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 20, 2019.

db/jdb +Ronald Minnich, Carrie A. Minnich, 126 Irving Avenue, Latrobe, PA 15650-2934

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 20, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 18, 2019 at the address(es) listed below:

Amy L. Zema on behalf of Debtor Ronald Minnich amy@zemalawoffice.com
Amy L. Zema on behalf of Joint Debtor Carrie A. Minnich amy@zemalawoffice.com
James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. C/O CARRINGTON MORTGAGE SERVICES, LLC bkgroup@kmlawgroup.com
James Warmbrodt on behalf of Creditor Carrington Mortgage Services, LLC as servicer for BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com, srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com
Thomas I. Puleo on behalf of Creditor BANK OF AMERICA, N.A. tpuleo@goldbecklaw.com, BKGroup@goldbecklaw.com

TOTAL: 9